



CITY OF ANNAPOLIS HISTORIC PRESERVATION DIVISION

Department of Planning & Zoning

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PUBLIC HEARING

STAFF REPORT AND RECOMMENDATION

Submitted by: Roberta Laynor, Chief of Historic Preservation
February 2, 2021

Application: HPC2020-248
Agenda: New Business
Meeting Date: February 9, 2021

Property Address:	79 Franklin Street
Landmark / Historic District:	Colonial Annapolis National Historic Landmark District
Historic Status:	Contributing
Period of Significance:	1913
Owners:	Stacey Rice, Annapolis
Applicant/Architect:	David M. Miles, The Drawing Board, Annapolis, MD
Contractor:	TBD

PROJECT DESCRIPTION

The applicant is proposing to install an ADA code-required accessibility lift at a new opening on the right side of the house. The installation includes a new entrance door with transom, a platform with balustrade, and screening as well as ADA-compliant parking and access at existing concrete surfaces. The property is changing from single family dwelling to professional office use.



79 Franklin Street GIS 2015

HISTORIC DESCRIPTION

Built in 1913, the house at 79 Franklin Street is a two-and-a-half-story, two-bay-wide wood frame structure consisting of a main block and service wing. Set upon a rusticated concrete block foundation, the main block is covered with a hipped roof with hipped dormers, while the rear wing is covered by an intersecting gable roof. A full-width front porch is integrated under the second story and hipped roof of the house. The walls are clad with asbestos shingles, and the roof is sheathed with asphalt shingles. The modest-looking, but spacious (4,500 square feet) house, features a side-passage plan and has three full floors.

Exterior Description:

The southeast elevation of the house faces Franklin Street with a small paved parking lot in front (in place of a yard). The first story, raised upon a rusticated pier foundation (infilled with parged concrete block), consists of an inset open three-bay-wide porch on the first story with an overhanging second story. The porch features three masonry Tuscan columns with a plaster finish. A modern brick stair with a contemporary iron railing leads to the main entry door, in the southwestern-most bay of the facade. The entry retains its original wood-and-glass door, along with its single-lite transom and architrave surround. A pair of original 1/1 windows is located next to the door.

The second story features three single 1/1 windows with original trim and sash. Above the windows is the wide, projecting roof eave with a hipped dormer on center of the front slope of the roof. A pair of original 1/1 windows dominates the dormer.

The northeast side elevation consists of an irregularly fenestrated main block, and a two-bay-deep rear wing. This elevation is defined principally by a two-story projecting bay located towards the rear of the main block. On the first story, this bay is three-sided with 1/1 windows in each of the chamfered sides, and a distinctive, diamond-paned casement in the center wall. On the second story, the bay is rectangular and overhangs the first-story projection. A single 1/1 window is located on the front wall of the bay and on the rear side wall. In addition to the windows in the projecting bay, there are several other 1/1 windows irregularly placed across the elevation. On the first story, there is a single 1/1 window at the front bay of the first story, and two in the rear wing.



79 Franklin Street 1930 Sanborn Map with pasteups.

On the second story, there are two single 1/1 windows in the main block--one located in the front bay, and one next to the projecting bay--and a single 1/1 window in the rear wing. A hipped roof dormer with paired 1/1 windows is centrally located on the hipped roof of the main block.

The rear ell is two bays deep, with two 1/1 windows on the first story, and one 1/1 window on the second story. The northwest end elevation consists of the rear wall of the service wing. This wing, two bays deep off the main block, is a single-bay wide, characterized by a small, shed-roof porch.

The porch is set upon a replacement concrete block foundation, and features turned wood columns.

The single-family dwelling at 79 Franklin Street was constructed in 1913 for property owners, Adolph Torovsky and Annie Torovsky. Torovsky was a prominent member of the United States Naval Academy Band, having studied with Johann Strauss II while living in Vienna. This wood frame building is located on the Glebe Lands of St. Anne's Parish, property subsequently owned by the Farmers Bank of Maryland, the first banking institutions chartered in Annapolis. The bank retained ownership of the property, which was improved by an early 19th century dwelling, until the turn of the 20th century. Since its construction, the building has been held by only three owners, all of whom occupied the building. In 2000, the single-family dwelling was converted into commercial office space.

Traceris survey 2001

Russell Wright's 1983 survey noted the following about the house and its porch: *Minor variety of Four-Square style with interesting porch treatment; in scale and contributes to the streetscape.*

BACKGROUND

The applicant initially met for a departmental Pre Application on 8/12/20 to discuss the proposed project with Planning & Zoning, Code Compliance, and Fire Safety staff, followed by discussions with the Assistant Chief of Historic Preservation. The first proposal located a lift and ramp at the front porch. The Chief and Assistant Chief of Historic Preservation then met with the architect and attorney on site 11/19/20 to discuss possible alternatives as the initial proposal appeared obtrusive to the streetscape and altered character-defining front elevation features. The lift was subsequently designed to be moved further back on the right side of the house. The applicant then presented the project as an HPC Pre Application 11/08/20 where the Commission determined through a nonbinding opinion that the project is feasible with a lift on the right side of the house at a new opening. The Public Hearing Application was submitted followed by a Revision further detailing the location of the lift. The change in use also requires a Special Exception for conversion to professional office use (application SE2020-008) and Variance to certain bulk regulations and parking lot buffer requirements (application VAR2020-001). The Special Exception and Variance applications are scheduled for the 2/17/21 Board of Appeals public hearing.

EVALUATION

Planning and Zoning (P&Z) Current Planner Jacqueline Rouse reviewed the project 1/20/21 and 1/28/21 and recommended approval with the following comments:

Applications for special exception and variance have been submitted and hearings will be scheduled. HPC review and approval should proceed.

Planning and Zoning (P&Z) Building Plans Reviewer Ryan Blomeley reviewed the project 1/15/21 and 1/27/21 and recommended approval with the following comments:

This proposed project has been reviewed from an ADA, Life Safety, and International Existing Building Code perspective.

- 1) *If intending to change the use and occupancy of this structure from residential to commercial then please provide a complete code analysis and means of egress plan for the entire structure. REVISE.*
- 2) *This structure would be subject to the 2018 INTERNATIONAL EXISTING BUILDING CODE, 2018 IBC, and ICC A117.1 American National Standard.*
- 3) *Comply with IEBC, SECTION 305 ACCESSIBILITY*
- 4) *Comply with IEBC, Section 305.4 Change of Occupancy.*
- 5) *Comply with IEBC, Section 305.6 Alterations*
- 6) *Comply with IEBC, Section 305.7 Alterations affecting an area containing a primary function.*
- 7) *Comply with IEBC, Section 305.8 Scoping for alterations.*
- 8) *The provided civil site plan does not appear to be scaled as noted. The subject lot is approximately 30' wide, and where the 16' wide combination of 11' van accessible space and 5' access aisle is proposed... it would take up more than half the width of the lot. Additionally, with only 14' of width left over there would only be room for one additional zoning compliant parking space. REVISE.*
- 9) *2018 IBC CHAPTER 11 ACCESSIBILITY. SECTION 1102 COMPLIANCE 1101.2 Design. Buildings and facilities shall be designed and constructed to be accessible in accordance with this code and ICC A117.1. As applicable.*

Planning and Zoning (P&Z) Code Compliance Officer Lisa Minker reviewed the project 1/4/21 and recommended approval with the following comments:

CONVERSION TO A COMMERCIAL PROPERTY REQUIRES A SPECIAL EXCEPTION APPROVAL. THE APPLICATION HAS BEEN SUBMITTED HOWEVER, THE PROPERTY HAS NOT BEEN APPROVED. A NEW USE AND OCCUPANCY PERMIT WILL BE REQUIRED FOR THE CONVERSION.

Consulting Architect Michael Dowling reviewed the project 2/2/21 and recommended approval with the following comments:

Addition and renovations to add accessibility to a residence being converted to commercial use.

While the demolition of existing fabric to add a new accessible door at the proposed lift will destroy original fabric, it is a reversible condition if the building were to be restored in the future.

I recommend approval of the application as submitted with the condition that the side of the lift machinery be screened with the lattice detail proposed for the side of the landing; the lattice could be detailed to be removable for any required maintenance access. This would be in lieu of the proposed planting which may not achieve the screening desired, and are in a constricted location close to the adjacent driveway challenging their survival.

HPC Staff reviewed the application **using a strict standard of review** as applicable under the Annapolis City Code, specifically **Section 21.56.060D** which states: *The Commission shall be strict in its judgment of plans for landmarks, sites or structures determined by research to be of historic, cultural, archaeological, or architectural significance. The Commission shall be lenient in its judgment of plans for landmarks, sites or structures of little historic, cultural, archaeological, or architectural significance, or of plans involving new construction, unless in the Commission's judgment such plans would seriously impair the historic, cultural, archaeological, or architectural significance of surrounding landmarks, sites or structures. The Commission is not required to limit construction, reconstruction, or alteration to any one period of architectural style.*

Additionally, HPC staff reviewed the application following Guidelines referenced in *Building in the Fourth Century: Annapolis Historic District Design Manual* (Design Guidelines) and the *Secretary of the Interior's Standards for Rehabilitation* (SOI Standards). As applicable to this proposal, specific attention was given to the following Guidelines.

DESIGN GUIDELINES

Introduction

The Annapolis Historic District possesses a strong urban character formed by its radial city plan, sloping terrain, and views to the water. Within this unique framework survives an outstanding collection of eighteenth century Georgian houses amidst a setting of nineteenth and twentieth century buildings of diverse styles. For all its diversity, there is a visual unity within the historic district which results from the human scale of the district's buildings and streetscapes. It is this unity which the ordinance seeks to preserve.

Guidelines To Preserve And Enhance Individual Historic Streetscapes

Buildings and landscape elements form walls of outdoor spaces, which become the public halls and reception rooms of the city. Street and sidewalk paving is the flooring of these rooms, and the vegetation and street furniture the furnishings. The historic district ordinance is in place to protect the streetscape from insensitive change. The ordinance discourages the removal of landscape elements and obliteration of the streetscape "walls" by a change in setback, any increase in the height and width of the "walls," removal of the historic human scale, or disruption of the existing order and pattern of rhythm along the street.

Guidelines For Building Design

B.12 - Stoops and Porches

New construction should incorporate traditional elements which give scale to the streetscape, such as porches or stoops, when they are present on adjacent historic buildings.

Stoops and porches make two important contributions to the streetscapes of Annapolis: 1) they provide a sense of human scale for a tall masonry wall, and 2) they create a rhythm along the street. See also guideline D.23.

Staff analysis: consistent.

The existing porch and front entry will be retained intact. The initial proposal to add a lift with ramp at the front porch has been revised with a side-entry lift.

Guidelines to Facilitate Compatible Landscape and Site Design

C. 3 - Building Access for the Mobility Impaired

Building accessibility for individuals with disabilities should be achieved without compromise to historic materials or to character-defining elements of historic buildings and sites.

Every effort should be made to avoid ramps and handicap lifts on primary facades of buildings. Methods of achieving accessibility should be integrated into the site plan.

Staff analysis: consistent.

The vertical platform lift will be located beneath the existing side window. When the lift is raised, the occupant exits onto a gated porch deck with balustrade and enters the building through a new transomed door opening. The revision shows that the basement level, including windows, can be maintained by removing the lattice. The design may require moving the access to the porch crawl space. The automated folding lift ramp will be located at the corner of the house and should be constructed to allow maintenance as necessary to the rusticated porch piers.

C. 9 - Landscape Plants

Landscape plants should be carefully chosen to relate in size and scale to the building and spaces around the planting area on the site. Landscape plants that are appropriate for the period of the building are encouraged. Plants used for a new building should be compatible with neighboring historic buildings and sites. Use of plant material to screen utility structure is encouraged.

Historical landscape architects and horticultural specialists should be consulted for significant landscapes. Planting styles and designs should approximate the period of the building. Parterres would be appropriate to 18th-century buildings, while foundation plantings would be a 19th-century style.

The ultimate size and massing of the plants must be taken into account, as well as possible adverse effects on historic building materials. The use of native species is encouraged to reduce fertilizer and pesticide use and improve compatibility with local climate conditions. Lists of native plants and historically appropriate plant materials are available from the Department of Planning and Zoning staff.

Staff analysis: consistent.

Extremely limited space exists for landscaping. The Consulting Architect offered the following recommendation: *"I recommend approval of the application as submitted with the condition that the side of the lift machinery be screened with the lattice detail proposed for the side of the landing; the lattice could be detailed to be removable for any required maintenance access. This would be in lieu of the proposed planting which may not achieve the screening desired, and are in a constricted location close to the adjacent driveway challenging their survival."*

C.10 - Curb Cuts and Off Street Parking

Curb cuts and off street parking areas are discouraged. Where appropriate, they shall be carefully planned to protect the historical character of the property and adjacent properties. Paving materials should be historic, preferably brick.

In addition to the visual appropriateness of a proposed curb cut or parking area, the Commission will also consider such physical factors as whether the cut will require altering the topography of the site and how the proposed drive will affect existing vegetation. Asphalt and gray Portland cement concrete paving are discouraged, as are gray gravel and white stone. Preferred materials include crushed oyster shell, brick, and brick tire tracks.

Staff analysis: not consistent, but in existence for at least 39 years. See below.

The following Russell Wright photo depicts a concrete front yard for parking dating to 1982.



79 Franklin Street, 1982 Russell Wright photo

Guidelines To Preserve And Protect Historic Structures And Their Components

D. 1 - Secretary of the Interior's Standards for Rehabilitation

Except where more stringent requirements are stated in these guidelines, all work done on historic buildings should comply with the Secretary of the Interior's Standards for Rehabilitation.

SOI-1 A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

SOI-2 The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

SOI-9 New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property & environment.

SOI-10 New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Staff analysis: consistent.

The use of this property has changed several times from residential to professional law office, followed again by residential. It is located in the Permitted Use Professional Office Zone. The defining characteristics of mass, porch configuration, existing windows and existing doors will not change. The new wood balustrade is compatible with the design of the house, as opposed to the existing metal front porch railing altered incorrectly in the past. Regarding reversibility, the Consulting Architect offered the following: *“While the demolition of existing fabric to add a new accessible door at the proposed lift will destroy original fabric, it is a reversible condition if the building were to be restored in the future.”*

D.3 - Preservation of Significant Original Features

Distinguishing original and historic features of historic buildings and their sites shall be preserved.

These features include distinctive stylistic features, examples of skilled craftsmanship, and features such as original siding, roofing material, windows, and doors. The restoration of historic building materials should be completed by craftsmen with specialized skills in building restoration.

Staff analysis: consistent.

The distinguishing stylistic features described in the Traceries architectural survey will remain.

D. 17 - New Openings in Existing Buildings

New window and door openings in existing exterior walls are discouraged.

The placement and size of window and door openings in a historic building are determinants in the scale, rhythm and formality of a building. New openings in a wall alter those qualities, which established the building's character. Where recent changes have altered original fenestration openings, restoration of the original window placement is encouraged.

Staff analysis: consistent.

A Simpson fir door with $\frac{2}{3}$ glass and $\frac{1}{3}$ wood/panel similar to the existing front door will be installed. Framing removed for the new opening will be stored in the building.

Guidelines For Preserving and Protecting Other Historic Building Features

D. 24 - Porches on Additions and New Buildings

On blocks where porches or stoops occur on most buildings, new building designs may incorporate porches or stoops that are similar in scale to existing designs.

Proposed additions which include porches should be simple in design and related visually to the existing building and proposed addition. Where a porch is included in a proposed new building design, it should relate visually to the proposed building in the same way as historic additions relate to existing buildings within the

immediate neighborhood. These additions are typically subordinate in scale and material such as a wood addition on a brick house.

Staff analysis: consistent.

The porch deck and balustrade for the ADA entry are simple in design and relate visually to the style of the building.

D. 28 - Use of Contemporary Materials

Use of contemporary synthetic or fiberglass moldings, trim, and columns is not acceptable. Vinyl siding and trim, aluminum siding and trim, and cementitious synthetic wood siding obscure the original character, and may change dimensions of scale defining elements of the building. Synthetic stucco products such as the Exterior Insulation and Finish Systems (EIFS) are not acceptable.

Aluminum engineered wood products and vinyl or plastic siding and trim, along with cementitious synthetic wood products shall be avoided. Materials that seek to replicate historic elements such as contemporary synthetic fiberglass moldings, trim, and columns should be avoided, as well as the use of aluminum, engineered wood, and or vinyl or plastic siding and trim along with cementitious synthetic wood products.

Staff Analysis: consistent.

No plastics, composites, or other engineered products will be used on exterior portions of this project.

RECOMMENDATION

Staff notes that the applicant has demonstrated a good-faith effort to address zoning issues by filing applications for Special Exception and Variance for a 2/17/21 hearing. It should be noted that the Special Exception, Variance, and Building Permit code analysis reviews may generate additional alterations to the exterior of the house or property.

HPC staff recommends **CONDITIONAL APPROVAL** of the proposed project at 79 Franklin Street as consistent with Guidelines B.12, C.3, C.9, C.10, D.1 (SOI-1, 2, 9&10), D.3, D.17, D.24, and D.28 with the following **CONDITIONS**:

- Applicant shall meet the requirements for Special Exception, Variance, Certificate of Use and Occupancy, and Building Permit applications.
- Applicant shall submit an HPC Revision Form for Public Hearing review and approval of all exterior changes not specifically approved with this application or meeting the criteria for HPC Administrative review guidelines.
- Applicant shall retain and store on site framing removed for the new door opening.